



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 2  
290 Broadway  
New York, New York 10007

**EXPEDITED SETTLEMENT AGREEMENT**

Docket Number: CWA-02-2015-3356

Ferroval Agroman, S.A. ("Respondent") is a "person," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

Attached is an "Expedited Settlement Offer Deficiencies Form" ("Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the deficiencies specified in the Form.

Respondent did not comply with terms and conditions of a National Pollutant Discharge Elimination System permit in violation of Sections 301 and 402 of the Act, 33 U.S.C. §§ 1311 and 1342.

EPA finds, and Respondent admits, that Respondent is subject to Sections 301(a) and 402(p) of the Act, 33 U.S.C. § 311(a) and 1342(p), and that EPA has jurisdiction over any person who "discharges pollutants" from a "point source" to waters of the United States." Respondent neither admits nor denies the deficiencies specified in the Form.

EPA is authorized to enter into this Consent Agreement and Final Order ("Agreement") under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement in order to settle the civil violation(s) alleged in this Agreement for a penalty of **\$13,750**. Respondent consents to the assessment of this penalty, and waives the right to: (1) contest the finding(s) specified in the Form; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8).

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that any deficiencies identified in the Form have been corrected.

Respondent certifies that, within ten (10) calendar days of receiving notice from EPA that the Agreement is effective (thirty (30) calendar days from the date it is signed by the EPA Official), Respondent shall submit a bank, cashiers or certified check, with the name and docket number noted, for the amount specified above payable to the "Treasurer, United States of America," via certified mail, to:

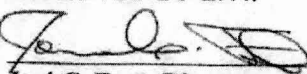
U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P. O. Box 979077  
St. Louis, MO 63197-9000.

A copy of the check shall be sent to the EPA address above.

This Agreement settles EPA's civil penalty claims against Respondent for the Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected deficiencies or violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

This Agreement is binding on the parties signing below and effective thirty (30) calendar days from the date it is signed by the Presiding Officer unless a petition to set aside the Order is filed by a commenter pursuant to Section 309(g)(4)(C) of the Act, 33 U.S.C. § 1319(g)(4)(C), and 40 C.F.R. Part 22 or upon filing with the Regional Hearing Clerk.

APPROVED BY EPA:

 Date: 6/24/15  
José C. Font, Director  
USEPA Region 2, Caribbean Environmental Protection Div.

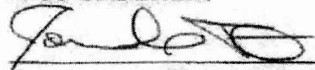
APPROVED BY RESPONDENT:

Name (print): NASSIN E. TACTUK DINA  
Title (print): General Manager

Signature: Nassin E. Tactuk Dina Date: 04/24/2015

[More than 40 calendar days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and EPA has received no comments concerning this matter.]

Having determined that this Agreement is authorized by law, IT IS SO ORDERED:

 Date: 6/24/15  
José C. Font, Director  
USEPA Region 2, Caribbean Environmental Protection Div.



Santander

0014 SUC. PONCE DE LEON

CHEQUE OFICIAL

101-234  
215

Num. 4231968  
06/29/2015

SUCURSAL

FECHA

\$13,750.00

BSPR-14  
SUCR. PONCE DE LEON

13,750.00 DOLARS

PAGUESE

DOLARES

TREASURER, UNITED STATES OF  
AMERICA

A  
LA  
ORDEN  
DE

EPA's Docket Number  
(CWA-02-2015-3356)

Sobre \$25,000 se requieren dos firmas

4231968 021502341 900 990038

4231968

06/29/2015

NUM.  
BENEFICIARIO

TREASURER, UNITED STATES OF

FECHA

SUST CK #201021 CTA 3004696734

\$13,750.00

CONCEPTO

EPA's Docket Number (CWA-02-2015-3356)

IMPORTE \$

Si este cheque oficial se pierde, es destruido o robado, usted o el tomador deberá completar una Declaración de Cheque Oficial Perdido, Destruído o Robado. La Ley de Instrumentos Negociables y Transacciones Bancarias dispone que su reclamación será exigible dentro de los 90 días de la fecha del cheque. Antes dicho período de tiempo su reclamación no tendrá ningún efecto legal y el Banco podrá pagar el cheque.